

PTO Form 1830 (Rev 9/2007)

OMB No. 0651-0050 (Exp. 4/30/2009)

Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	79058974
LAW OFFICE ASSIGNED	LAW OFFICE 108
MARK SECTION (no change)	
ARGUMENT(S)	
The examiner has refused registration of the ZONDA + Design mark (Application Serial No. 79/058,974) on the basis of a likelihood of confusion with Registration No. 2,812,465. Applicant is currently investigating the registrant as a possible infringer and requests that the examiner suspend the application pending Applicant's investigation of and possible discussions with the registrant.	
GOODS AND/OR SERVICES SECTION (009)(current)	
INTERNATIONAL CLASS	009
DESCRIPTION	
Scientific, nautical, surveying, photographic, cinematographic, optical, weighing, measuring, signalling, checking, life-saving and teaching apparatus and instruments, namely, sunglasses, eye glasses cases, eye glasses cords, eye glasses, eyeglasses chains, eyeglasses frames, eyeglasses lenses, eyewear; cell phones, cellular phone accessory charms, cell phone covers, personal computers, laptop computers, laptop carrying cases; automatic vending machines and mechanisms for coin operated apparatus; calculating machines, data processors; computers	
GOODS AND/OR SERVICES SECTION (009)(proposed)	
INTERNATIONAL CLASS	009
DESCRIPTION	
Scientific, nautical, surveying, photographic, cinematographic, optical, weighing, measuring, signaling, checking, life-saving and teaching apparatus and instruments, namely, sunglasses, eye glasses cases, eye glasses cords, eye glasses, eyeglasses chains, eyeglasses frames, eyeglasses lenses, eyewear, cell phones, cellular phone accessory charms, cell phone covers, personal computers, laptop computers, laptop carrying cases; automatic vending machines and mechanisms for coin operated apparatus; calculating machines, data processors; computers	
GOODS AND/OR SERVICES SECTION (012)(current)	
INTERNATIONAL CLASS	012

DESCRIPTION

All terrain vehicles; automobile bodies; automobile bumpers; automobile chassis; automobile engines; automobile seat cushions; automobile windshield sunshades; automobiles; automobiles and structural parts thereof; brakes for land vehicles; braking systems for land vehicles and parts thereof; cars; custom leather interiors for vehicles; dashboards; diesel engines for land vehicles; directional signal for land vehicles; door panel for land vehicles; drive shafts for land vehicles; engines for land vehicles; gear lever knobs; gears for vehicles; glass windows for vehicles; handbrake for knobs; horns for vehicles; hydraulic circuits for vehicles; internal combustion engines for land vehicles; land vehicle parts, namely, transmissions, namely, wheels, differentials, drive belts, drive gears, axles mud guards; land vehicles suspensions parts, namely, coil springs, leaf springs, equalizers; land vehicles; land vehicles and structural parts thereof; motors and engines for land vehicles; motors for automobiles; racing cars; seat covers for vehicles; steering brakes; structural parts of automobiles; tires for automobiles; wheels of automobiles; wheel suspensions; none of the foregoing goods including bicycles or their parts

GOODS AND/OR SERVICES SECTION (012)(proposed)**INTERNATIONAL CLASS**

012

DESCRIPTION

All terrain vehicles; automobiles; cars; land vehicles; racing cars; none of the foregoing goods including bicycles or their parts

GOODS AND/OR SERVICES SECTION (014)(current)**INTERNATIONAL CLASS**

014

DESCRIPTION

Precious metals and their alloys; goods in precious metals or coated therewith, namely, ankle bracelets, bangle bracelets, bracelets, chokers, earrings, cufflinks, clocks, figures of precious metal, key chains, key holders, key rings, medallions, medals, ornamental pins, pendants, rings, commemorative coins, collectible coins, statuettes of precious metals, statues of precious metals, boxes of precious metals; jewellery, precious stone; horological and chronometric instruments; watches and clocks

GOODS AND/OR SERVICES SECTION (014)(proposed)**INTERNATIONAL CLASS**

014

DESCRIPTION

Precious metals and their alloys; goods in precious metals or coated therewith, namely, ankle bracelets, bangle bracelets, bracelets, chokers, earrings, cufflinks, clocks, figures of precious metal, key chains, key holders, key rings, medallions, medals, ornamental pins, pendants, rings, commemorative coins, collectible coins, statuettes of precious metals, statues of precious metals, boxes of precious metals; jewelry, precious stones; horological and chronometric instruments; watches and clocks

GOODS AND/OR SERVICES SECTION (016)(current)**INTERNATIONAL CLASS**

016

DESCRIPTION

Paper cardboard and goods made from these materials, namely, agendas, albums for stickers, autograph books, blank note cards, book markers, file folders, memo block, loose leaf papers, loose leaf pads, memorandum boards, memorandum books, note books, note cards, note papers, notebooks, notepads, note boards, paper stationery, personal organizers, pocket memorandum book, scrap books, sticker and transfers; printed matters, namely, calendars and diaries, correspondence cards, daily newspaper, day planners, desk calendars, desktop organizers, post cards, printed periodicals in the field of vehicles, cars and automobiles; photographs; stationery; adhesive for stationery or household purposes; typewriters and office requisites, namely, desk sets, pencils, pens, paper clips, paper clip holders, automatic pencils, ball pens, ball point pens, colour pencils, coloured pens, crayons, gel roller pens, highlighter pens, markers, erasers, pen and pencil cases and boxes, pen clips, pen ink refills, pen cartridges, retractable pencils, roller ball pens; printers' type; printing blocks

GOODS AND/OR SERVICES SECTION (016)(proposed)**INTERNATIONAL CLASS**

016

DESCRIPTION

Paper cardboard and goods made from these materials, namely, agendas, albums for stickers, autograph books, blank note cards, book markers, file folders, memo block, loose leaf papers, loose leaf pads, memorandum boards, memorandum books, note books, note cards, note papers, notebooks, notepads, note boards, paper stationery, personal organizers, pocket memorandum book, scrap books, stickers; iron on or plastic transfers; printed matters, namely, calendars and diaries, correspondence cards, daily newspaper, day planners, desk calendars, desktop organizers, post cards, printed periodicals in the field of vehicles, cars and automobiles; photographs; stationery; adhesive for stationery or household purposes; typewriters and office requisites, namely, desk sets, pencils, pens, paper clips, paper clip holders, automatic pencils, ball pens, ball point pens, colored pencils, colored pens, crayons, gel roller pens, highlighter pens, markers, erasers, pen and pencil cases and boxes, pen clips, pen ink refills, pen cartridges, retractable pencils, roller ball pens; printers' type; printing blocks

GOODS AND/OR SERVICES SECTION (025)(current)**INTERNATIONAL CLASS**

025

DESCRIPTION

Clothing, namely, bandanas, bathing costumes, bathing suits, bathing trunks, beach cover-ups, beachwear, belts, bermuda shorts, bikinis, blazers, blouses, blousons, board shorts, boas, bodices, body linen, boleros, bow ties, boxer briefs, boxer shorts, bras, brassieres, breeches, briefs, camisettes, camisoles, camp shirts, cardigans, chemises, chemisettes, coats, corselets, corsets, cravats, cuffs, culottes, denim jackets, dress shields, dress shirts, dress suits, dresses, dressing gowns, gilets, gloves, golf pants, shirts and skirts, golf trousers, gowns, greatcoat, gym pants, gym shorts, gym suits, head scarves, hooded pullovers, hooded sweat shirts, hoods, hosiery, jackets, jeans, jerseys, jerkins, jumpers, knickers, leisure suits, leggings, lingerie, miniskirts, neckties, negligees, night shirts, nightdresses, nighties, nightwear, pyjamas, petticoats, play suits, polo shirts, pullovers, rainwear, riding coats, riding gloves, robes, shawls, shirts, shorts, shorts trousers, silk scarves, singlets, ski gloves, ski suits, ski wear, ski masks, ski pants, ski trousers, ski jackets, skirts, sleeping garments, slippers, snow suits, snow pants, snow gloves, socks, sock suspenders, sport coats, sport shirts, sports jackets, sports jerseys, sports pants, sports shirts, stockings, suits, surf wear, swim trunks, swim wear, swimsuits, swimwear, tailleurs, tee shirts, tennis dresses, tennis wear, ties, tights, tops, track jackets, track pants, track suits, training suits, trunks, trousers, tuxedos, twin sets, under garments,

underclothes, undershirts, underpants, underwear, underskirts, waterproof jackets and pants; sweaters, jumpsuits, body-suits, sweat shorts, t-shirts, vests, waistcoats, panties, overcoats, anoraks, raincoats, short petticoats, petti-pants, night-gowns, tankinis, bath-robos, pareos, caftans, kimonos, garter belts, wraps, foulard, scarves, stoles; footwear, headgear, namely, bathing caps, beach footwear, beach shoes, berets, bonnets, booties, boots, capelets, caps, shoes, dance shoes, deck-shoes, golf caps, golf shoes, gymnastic shoes, hats, horse-riding boots, leather shoes, leather headwear, leisure shoes, moccasins, rain hats, rubber shoes, running shoes, sabot, sandals, shower caps, ski boots, skiing shoes, small hats, sneakers, snow boots, snowboard boots, swim caps, tennis shoes, track and field shoes, training shoes

GOODS AND/OR SERVICES SECTION (025)(proposed)

INTERNATIONAL CLASS

025

DESCRIPTION

Clothing, namely, bandanas, bathing costumes, bathing suits, bathing trunks, beach cover-ups, beachwear, belts, Bermuda shorts, bikinis, blazers, blouses, blousons, board shorts, boas, bodices, body linen, boleros, bow ties, boxer briefs, boxer shorts, bras, brassieres, breeches, briefs, camisettes, camisoles, camp shirts, cardigans, chemises, chemisettes, coats, corselets, corsets, cravats, cuffs, culottes, denim jackets, dress shields, dress shirts, dress suits, dresses, dressing gowns, gilets, gloves, golf pants, shirts and skirts, golf trousers, gowns, greatcoat, gym pants, gym shorts, gym suits, head scarves, hooded pullovers, hooded sweat shirts, hoods, hosiery, jackets, jeans, jerseys, jerkins, jumpers, knickers, leisure suits, leggings, lingerie, miniskirts, neckties, negligees, night shirts, nightdresses, nighties, nightwear, pyjamas, petticoats, play suits, polo shirts, pullovers, rainwear, riding coats, riding gloves, robes, shawls, shirts, shorts, shorts trousers, silk scarves, singlets, ski gloves, ski suits, ski wear, ski masks, ski pants, ski trousers, ski jackets, skirts, sleeping garments, slippers, snow suits, snow pants, snow gloves, socks, sock suspenders, sport coats, sport shirts, sports jackets, sports jerseys, sports pants, sports shirts, stockings, suits, surf wear, swim trunks, swim wear, swimsuits, swimwear, tailleurs, tee shirts, tennis dresses, tennis wear, ties, tights, tops, track jackets, track pants, track suits, training suits, trunks, trousers, tuxedos, twin sets, under garments, underclothes, undershirts, underpants, underwear, underskirts, waterproof jackets and pants; sweaters, jumpsuits, body-suits, sweat shorts, t-shirts, vests, waistcoats, panties, overcoats, anoraks, raincoats, short petticoats, petti-pants, night-gowns, tankinis, bath-robos, pareos, caftans, kimonos, garter belts, wraps, foulard, scarves, stoles; footwear, beach footwear, beach shoes; headgear, namely, bathing caps, berets, bonnets; booties, boots, capelets, caps, shoes, dance shoes, deck-shoes, golf caps, golf shoes, gymnastic shoes, hats, horse-riding boots, leather shoes, leather headwear, leisure shoes, moccasins, rain hats, rubber shoes, running shoes, sabot, sandals, shower caps, ski boots, skiing shoes, small hats, sneakers, snow boots, snowboard boots, swim caps, tennis shoes, track and field shoes, training shoe

GOODS AND/OR SERVICES SECTION (028)(current)

INTERNATIONAL CLASS

028

DESCRIPTION

Games, namely, card games, board games, electronic games, playing cards, construction toys, model cars, toy model cars, model toy steam engines, model toys steam operated engines, modelled plastic toys figurines, modelled toys figures, mechanical toys cases for toy vehicles, toy vehicles and accessories therefore, toy vehicles with transforming parts; sporting articles, namely, golf clubs, bags specially adapted for sports equipment, golf bags, golf irons, golf gloves, golf putters, golf putters covers, golf tees, golf balls, tennis rackets; gymnastic apparatus

GOODS AND/OR SERVICES SECTION (028)(proposed)	
INTERNATIONAL CLASS	028
DESCRIPTION	
Games, namely, card games, board games, electronic dart games, playing cards, construction toys, model cars, toy model cars, model toy steam engines, model toys steam operated engines, model plastic toys figurines, model toy figures, toy vehicles and accessories therefore, toy vehicles with transforming parts; sporting articles, namely, golf clubs, bags specially adapted for sports equipment, golf bags, golf irons, golf gloves, golf putters, golf putters covers, golf tees, golf balls, tennis rackets; gymnastic apparatus	
ADDITIONAL STATEMENTS SECTION	
MISCELLANEOUS STATEMENT	Applicant has amended its identification of goods pursuant to the examiner's requirement of the same, and has accepted the examiner's proposed language in its entirety.
SIGNATURE SECTION	
RESPONSE SIGNATURE	/alk/
SIGNATORY'S NAME	Aimee L. Kaplan
SIGNATORY'S POSITION	Attorney
DATE SIGNED	11/19/2009
AUTHORIZED SIGNATORY	YES
CONCURRENT APPEAL NOTICE FILED	YES
FILING INFORMATION SECTION	
SUBMIT DATE	Thu Nov 19 10:15:35 EST 2009
TEAS STAMP	USPTO/RFR-72.68.148.21-20 091119101535701509-790589 74-4609026207c5e835e771d5 07326e83d9d22-N/A-N/A-200 91119095348793288

PTO Form 1930 (Rev 9/2007)

OMB No. 0651-0050 (Exp. 4/30/2009)

Request for Reconsideration after Final Action**To the Commissioner for Trademarks:**

Application serial no. 79058974 has been amended as follows:

ARGUMENT(S)

In response to the substantive refusal(s), please note the following:

The examiner has refused registration of the ZONDA + Design mark (Application Serial No. 79/058,974) on the basis of a likelihood of confusion with Registration No. 2,812,465. Applicant is currently investigating the registrant as a possible infringer and requests that the examiner suspend the application pending Applicant's investigation of and possible discussions with the registrant.

CLASSIFICATION AND LISTING OF GOODS/SERVICES

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 009 for Scientific, nautical, surveying, photographic, cinematographic, optical, weighing, measuring, signalling, checking, life-saving and teaching apparatus and instruments, namely, sunglasses, eye glasses cases, eye glasses cords, eye glasses, eyeglasses chains, eyeglasses frames, eyeglasses lenses, eyewear; cell phones, cellular phone accessory charms, cell phone covers, personal computers, laptop computers, laptop carrying cases; automatic vending machines and mechanisms for coin operated apparatus; calculating machines, data processors; computers

Original Filing Basis:

Filing Basis Section 66(a), Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

Proposed: Class 009 for Scientific, nautical, surveying, photographic, cinematographic, optical, weighing, measuring, signaling, checking, life-saving and teaching apparatus and instruments, namely, sunglasses, eye glasses cases, eye glasses cords, eye glasses, eyeglasses chains, eyeglasses frames, eyeglasses lenses, eyewear, cell phones, cellular phone accessory charms, cell phone covers, personal computers, laptop computers, laptop carrying cases; automatic vending machines and mechanisms for coin operated apparatus; calculating machines, data processors; computers

Filing Basis Section 66(a), Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 012 for All terrain vehicles; automobile bodies; automobile bumpers; automobile chassis; automobile engines; automobile seat cushions; automobile windshield sunshades; automobiles; automobiles and structural parts thereof; brakes for land vehicles; braking systems for land vehicles and parts thereof; cars; custom leather interiors for vehicles; dashboards; diesel engines for land vehicles; directional signal for land vehicles; door panel for land vehicles; drive shafts for land vehicles; engines for land vehicles; gear lever knobs; gears for vehicles; glass windows for vehicles; handbrake for knobs; horns for vehicles; hydraulic circuits for vehicles; internal combustion engines for land vehicles; land vehicle parts, namely, transmissions, namely, wheels, differentials, drive belts, drive gears, axles mud guards; land vehicles suspensions parts, namely, coil springs, leaf springs, equalizers; land vehicles; land vehicles and structural parts thereof; motors and engines for land vehicles; motors for automobiles; racing cars; seat covers for vehicles; steering brakes; structural parts of automobiles; tires for automobiles; wheels of automobiles; wheel suspensions; none of the foregoing goods including bicycles or their parts

Original Filing Basis:

Filing Basis Section 66(a), Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

Proposed: Class 012 for All terrain vehicles; automobiles; cars; land vehicles; racing cars; none of the foregoing goods including bicycles or their parts

Filing Basis Section 66(a), Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 014 for Precious metals and their alloys; goods in precious metals or coated therewith, namely, ankle bracelets, bangle bracelets, bracelets, chokers, earrings, cufflinks, clocks, figures of precious metal, key chains, key holders, key rings, medallions, medals, ornamental pins, pendants, rings, commemorative coins, collectible coins, statuettes of precious metals, statues of precious metals, boxes of precious metals; jewellery, precious stone; horological and chronometric instruments; watches and clocks

Original Filing Basis:

Filing Basis Section 66(a), Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

Proposed: Class 014 for Precious metals and their alloys; goods in precious metals or coated therewith, namely, ankle bracelets, bangle bracelets, bracelets, chokers, earrings, cufflinks, clocks, figures of precious metal, key chains, key holders, key rings, medallions, medals, ornamental pins, pendants, rings, commemorative coins, collectible coins, statuettes of precious metals, statues of precious metals, boxes of precious metals; jewelry, precious stones; horological and chronometric instruments; watches and clocks

Filing Basis Section 66(a), Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 016 for Paper cardboard and goods made from these materials, namely, agendas, albums for stickers, autograph books, blank note cards, book markers, file folders, memo block, loose leaf papers, loose leaf pads, memorandum boards, memorandum books, note books, note cards, note papers, notebooks, notepads, note boards, paper stationery, personal organizers, pocket memorandum book, scrap books, sticker and transfers; printed matters, namely, calendars and diaries, correspondence cards, daily newspaper, day planners, desk calendars, desktop organizers, post cards, printed periodicals in the field of vehicles, cars and automobiles; photographs; stationery; adhesive for stationery or household purposes; typewriters and office requisites, namely, desk sets, pencils, pens, paper clips, paper clip holders, automatic pencils, ball pens, ball point pens, colour pencils, coloured pens, crayons, gel roller pens, highlighter pens, markers, erasers, pen and pencil cases and boxes, pen clips, pen ink refills, pen cartridges, retractable pencils, roller ball pens; printers' type; printing blocks

Original Filing Basis:

Filing Basis Section 66(a), Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

Proposed: Class 016 for Paper cardboard and goods made from these materials, namely, agendas, albums for stickers, autograph books, blank note cards, book markers, file folders, memo block, loose leaf papers, loose leaf pads, memorandum boards, memorandum books, note books, note cards, note papers, notebooks, notepads, note boards, paper stationery, personal organizers, pocket memorandum book, scrap books, stickers; iron on or plastic transfers; printed matters, namely, calendars and diaries, correspondence cards, daily newspaper, day planners, desk calendars, desktop organizers, post cards, printed periodicals in the field of vehicles, cars and automobiles; photographs; stationery; adhesive for stationery or household purposes; typewriters and office requisites, namely, desk sets, pencils, pens,

paper clips, paper clip holders, automatic pencils, ball pens, ball point pens, colored pencils, colored pens, crayons, gel roller pens, highlighter pens, markers, erasers, pen and pencil cases and boxes, pen clips, pen ink refills, pen cartridges, retractable pencils, roller ball pens; printers' type; printing blocks

Filing Basis Section 66(a), Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 025 for Clothing, namely, bandanas, bathing costumes, bathing suits, bathing trunks, beach cover-ups, beachwear, belts, bermuda shorts, bikinis, blazers, blouses, blousons, board shorts, boas, bodices, body linen, boleros, bow ties, boxer briefs, boxer shorts, bras, brassieres, breeches, briefs, camisettes, camisoles, camp shirts, cardigans, chemises, chemisettes, coats, corselets, corsets, cravats, cuffs, culottes, denim jackets, dress shields, dress shirts, dress suits, dresses, dressing gowns, gilets, gloves, golf pants, shirts and skirts, golf trousers, gowns, greatcoat, gym pants, gym shorts, gym suits, head scarves, hooded pullovers, hooded sweat shirts, hoods, hosiery, jackets, jeans, jerseys, jerkins, jumpers, knickers, leisure suits, leggings, lingerie, miniskirts, neckties, negligees, night shirts, nightdresses, nighties, nightwear, pyjamas, petticoats, play suits, polo shirts, pullovers, rainwear, riding coats, riding gloves, robes, shawls, shirts, shorts, shorts trousers, silk scarves, singlets, ski gloves, ski suits, ski wear, ski masks, ski pants, ski trousers, ski jackets, skirts, sleeping garments, slippers, slippers, snow suits, snow pants, snow gloves, socks, sock suspenders, sport coats, sport shirts, sports jackets, sports jerseys, sports pants, sports shirts, stockings, suits, surf wear, swim trunks, swim wear, swimsuits, swimwear, tailleurs, tee shirts, tennis dresses, tennis wear, ties, tights, tops, track jackets, track pants, track suits, training suits, trunks, trousers, tuxedos, twin sets, under garments, underclothes, undershirts, underpants, underwear, underskirts, waterproof jackets and pants; sweaters, jumpsuits, body-suits, sweat shorts, t-shirts, vests, waistcoats, panties, overcoats, anoraks, raincoats, short petticoats, petti-pants, night-gowns, tankinis, bath-robos, pareos, caftans, kimonos, garter belts, wraps, foulard, scarves, stoles; footwear, headgear, namely, bathing caps, beach footwear, beach shoes, berets, bonnets, booties, boots, capelets, caps, shoes, dance shoes, deck-shoes, golf caps, golf shoes, gymnastic shoes, hats, horse-riding boots, leather shoes, leather headwear, leisure shoes, moccasins, rain hats, rubber shoes, running shoes, sabot, sandals, shower caps, ski boots, skiing shoes, small hats, sneakers, snow boots, snowboard boots, swim caps, tennis shoes, track and field shoes, training shoes

Original Filing Basis:

Filing Basis Section 66(a), Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

Proposed: Class 025 for Clothing, namely, bandanas, bathing costumes, bathing suits, bathing trunks, beach cover-ups, beachwear, belts, Bermuda shorts, bikinis, blazers, blouses, blousons, board shorts, boas, bodices, body linen, boleros, bow ties, boxer briefs, boxer shorts, bras, brassieres, breeches, briefs, camisettes, camisoles, camp shirts, cardigans, chemises, chemisettes, coats, corselets, corsets, cravats, cuffs, culottes, denim jackets, dress shields, dress shirts, dress suits, dresses, dressing gowns, gilets, gloves, golf pants, shirts and skirts, golf trousers, gowns, greatcoat, gym pants, gym shorts, gym suits, head scarves, hooded pullovers, hooded sweat shirts, hoods, hosiery, jackets, jeans, jerseys, jerkins, jumpers, knickers, leisure suits, leggings, lingerie, miniskirts, neckties, negligees, night shirts, nightdresses, nighties, nightwear, pyjamas, petticoats, play suits, polo shirts, pullovers, rainwear, riding coats, riding gloves, robes, shawls, shirts, shorts, shorts trousers, silk scarves, singlets, ski gloves, ski suits, ski wear, ski masks, ski pants, ski trousers, ski jackets, skirts, sleeping garments, slippers, slippers, snow suits, snow pants, snow gloves, socks, sock suspenders, sport coats, sport shirts, sports jackets, sports jerseys, sports pants, sports shirts, stockings, suits, surf wear, swim trunks, swim wear, swimsuits, swimwear, tailleurs, tee shirts, tennis dresses, tennis wear, ties, tights, tops, track jackets, track pants, track suits, training suits, trunks, trousers, tuxedos, twin sets, under garments, underclothes, undershirts, underpants, underwear, underskirts, waterproof jackets and pants; sweaters, jumpsuits, body-suits, sweat

shorts, t-shirts, vests, waistcoats, panties, overcoats, anoraks, raincoats, short petticoats, petti-pants, night-gowns, tankinis, bath-robos, pareos, caftans, kimonos, garter belts, wraps, foulard, scarves, stoles; footwear, beach footwear, beach shoes; headgear, namely, bathing caps, berets, bonnets; booties, boots, capelets, caps, shoes, dance shoes, deck-shoes, golf caps, golf shoes, gymnastic shoes, hats, horse-riding boots, leather shoes, leather headwear, leisure shoes, moccasins, rain hats, rubber shoes, running shoes, ~~sabot~~, sandals, shower caps, ski boots, skiing shoes, small hats, sneakers, snow boots, snowboard boots, swim caps, tennis shoes, track and field shoes, training shoe

Filing Basis Section 66(a), Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 028 for Games, namely, card games, board games, electronic games, playing cards, construction toys, model cars, toy model cars, model toy steam engines, model toys steam operated engines, modelled plastic toys figurines, modelled toys figures, mechanical toys cases for toy vehicles, toy vehicles and accessories therefore, toy vehicles with transforming parts; sporting articles, namely, golf clubs, bags specially adapted for sports equipment, golf bags, golf irons, golf gloves, golf putters, golf putters covers, golf tees, golf balls, tennis rackets; gymnastic apparatus

Original Filing Basis:

Filing Basis Section 66(a), Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

Proposed: Class 028 for Games, namely, card games, board games, electronic dart games, playing cards, construction toys, model cars, toy model cars, model toy steam engines, model toys steam operated engines, model plastic toys figurines, model toy figures, toy vehicles and accessories therefore, toy vehicles with transforming parts; sporting articles, namely, golf clubs, bags specially adapted for sports equipment, golf bags, golf irons, golf gloves, golf putters, golf putters covers, golf tees, golf balls, tennis rackets; gymnastic apparatus

Filing Basis Section 66(a), Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

ADDITIONAL STATEMENTS

Applicant has amended its identification of goods pursuant to the examiner's requirement of the same, and has accepted the examiner's proposed language in its entirety.

SIGNATURE(S)

Request for Reconsideration Signature

Signature: /alk/ Date: 11/19/2009

Signatory's Name: Aimee L. Kaplan

Signatory's Position: Attorney

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the applicant's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the applicant in this matter: (1) the applicant has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the applicant has filed a power of attorney appointing him/her in this matter; or (4) the applicant's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing

him/her as an associate attorney in this matter.

The applicant is filing a Notice of Appeal in conjunction with this Request for Reconsideration.

Serial Number: 79058974

Internet Transmission Date: Thu Nov 19 10:15:35 EST 2009

TEAS Stamp: USPTO/RFR-72.68.148.21-20091119101535701

509-79058974-4609026207c5e835e771d507326

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